

Los Angeles Regional Water Quality Control Board

Meeting Minutes

Los Angeles Water Board Meeting
July 12, 2012
The Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, California

The meeting was called to Order by Chair Maria Mehranian at 9:12 am.

Item 1. Roll Call.

Board Members Present: Maria Camacho, Fran Diamond, Madelyn Glickfeld, Mary Ann Lutz, Maria Mehranian, Irma Muñoz, Charles Stringer, and Lawrence Yee

Board Members Absent: None.

Staff Present: Deborah Smith, Paula Rasmussen, Ronji Moffett, Frances McChesney, Nicole Johnson, Alex Carlos, Renee Purdy, Dr. Ginachi Amah, Hugh Marley, Dr. LB Nye, Valerie Carrillo Zara, Man Voong, Jenny Newman, Shana Rapoport, Kangshi Wang, Theresa Rodgers, Teklewold Ayalew, Thizar Tintut-Williams,

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Ms. Kirsten James, Heal the Bay	Dr. Tom Williams, Sierra Club Water Committee
Ms. Susie Santilena, Heal the Bay	Mr. John Dettle, City of Torrance
Ms. Liz Crosson, Santa Monica Baykeeper	Ms. Ann Heil, L.A. County Sanitation District
Mr. Miguel Luna, Rep. Urban Semillas	Ms. Kristy Morris, Council for Watershed Health
Mr. Frank Wu, L.A. County DPW	Ms. Michelle Weiner, Transition Culver City
Ms. Heather Maloney, City of Monrovia	Mr. Lewis Mac Adams, Friends of the L.A. River
Mr. Henry Graumlich, Calleguas Creed Watershed Steering Committee	Mr. Gerhardt Hubner, Ventura River Technical Advisory Group
Mr. Jeff Palmer, Ojai Valley Sanitation District	Ms. Karin Flores, Friends of the L.A. River
Ms. Roselyn Wang, NRDC	Mr. Bamki Njamfa, Representing self
Mr. Neil Rubenstein, Representing self	Ms. Crystal Alexander, Frick Free Culver City
Dr. Suzanne De Benedittis, Rep. Citizens for a Safe Community	Mr. Robert Bowcock, Representing self Mr. Mark Grey, BIA/SC-CICWQ
Mr. Ken Manning, San Gabriel Valley WQA	Ms. Erin Brockovich, Representing self
Ms. Barbara Post, Carousel	Ms. Kathy Post, Representing self
Ms. Liz Rita Boggs, Carousel	Mr. Michael Mitoma, Rep. City of Carson
Ms. Rosemary Naval, Carousel	Ms. Shaaron K. Mac Leod, Carousel HOA

MARIA MEHRANIAN, CHAIR | SAM UNGER, EXECUTIVE OFFICER

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Mr. Jesus Macias Zuñiga, Representing self	Ms. Mag'dalene Phineas, Edward Gi Pafuti-Gi
Ms. Deborah Deming, Carousel	Ms. Michelle Diaz, Carousel HOA
Ms. Pamela Fox, Carousel	Ms. Winfred McCarty, Representing self
Mr. Billie McCarty, Representing self	Ms. Marcella Lopez-Avalle, Representing her family
Mr. Bill & Sharon Ogden, Representing self	Mr. Alfredo Ismajtovich, Carousel
Mr. Josefino B. Mascardo, Carousel	Ms. Cristina Bejarano, Representing self
Ms. Susan Flanagan, Carousel HOA	Ms. Linea Ayers, Representing self
Mr. Gilbert Valdez, Representing self & family	Mr. Vincent Arredondo, Carousel
Ms. Aley Arredondo, Carousel	Ms. Kathy Pance, Representing self
Ms. Rudy Naval, Representing self	Ms. Hans Baemayiz, Representing self
Mr. Dominic and Lourdes Piazza, Representing self	Mr. Anthony Aguilar, Carousel Tract HOA
Mr. Manuel Gonzales, Carousel HOA	Ms. Dyan Lopez-Flamengo, Representing self
Mr. Hector Lopez, Representing self & family	M. Vanessa Robles, Carousel HOA

Item 2. Order of Agenda.

The changes to the Order of Agenda: Continue the draft Meeting Minutes of the June 7, 2012 meeting to the next regular meeting.

Item 4. Board Member Communications.

There were no communications that constituted disclosure.

Item 5a. Chief Deputy Executive Officer's Report

Report and Addendum Report was given to the Board. The Report was posted on the Board's website: <http://www.waterboards.ca.gov/losangeles>

Item 5.b. Enforcement Update. This Report was made by Mr. Hugh Marley, Chief of Enforcement & Stormwater section.

Approval of Uncontested Calendar.

Chief Deputy Executive Officer Deborah Smith announced the Consent items as follows: Items 8, and 9.

MOTION: To deem non-controversial and approve Agenda Item(s): Items 8, and 9.

- First: Vice Chair Charles Stringer
- Second: Board Member Mary Ann Lutz
- Vote: Approved by unanimous vote

Item 7.a. Public Forum

- Mr. Richard Watson, Richard Watson & Associates gave an update on Status of Implementation of Senate Bill 346 (Brake Pad Bill), discussed the key elements and gave background on the bill.

Item 7.b.

- Mr. Richard Atwater gave an overview of the Southern California Water Committee Stormwater efforts. He discussed the June 28, 2012 Workshop issues, and indicated that a database is currently being developed for projects throughout the San Diego Region.

Item 7.c. General Public Forum

- Mr. Bob Bowcock, Carousel tract Overview. He believes the pollution at the property was done with malicious intent. Does not agree with the Regional Board's decision to allow an 18-month extension to Shell.
- Ms. Erin Brockovich, Representing Carousel tract, asked that there be no more extensions granted to Shell.
- Ms. Barbara Post, representing the Carousel tract, expressed her displeasure of the granting of extensions to Shell, and complained about the noises, and inconveniences of the workers, as well as the lack of privacy. Ms. Post expressed that she and the community feel like guinea pigs being experimented on, and urged the Board to stop granting extensions to Shell. *(There were many guests that were either property owners or representatives or relatives of the property owners who were in attendance at this meeting. Each of the following names listed below brought a stuffed animal guinea pig and laid it at the podium to express how they are feeling with the on-going testing, and extensions being granted.) The names are listed below:*

- | | | |
|------------------------------|---------------------------|---------------------------|
| • Ms. Kathy Post | • Ms. Liz Rita Boggs | • Mr. Michael Mitoma |
| • Ms. Rosemary Naval | • Ms. Shaaron MacLeod | • Mr. Jesus Macias Zuñiga |
| • Ms. Mag'dalene Phimeas | • Ms. Deborah Deming | • Ms. Michelle Diaz |
| • Ms. Pamela Fox | • Ms. Winfred McCarty | • Ms. Billie McCarty |
| • Ms. Marcella Lopez-Lavalle | • Mr. Bill & Sharon Ogden | • Mr. Alfredo Izmajtovich |
| • Ms. Josefino B. Mascardo | • Ms. Cristina Bejarano | • Ms. Susan Flanagan |
| • Ms. Linda Ayers | • Mr. Gilbert Valdez | • Mr. Vincent Arrendo |
| • Ms. Aley Arrendo | • Ms. Kathy Pance | • Ms. Rudy Navar |
| • Mr. Hans Baemayiz | • Mr. Dominic Piazza | • Ms. Lourdes Piazza |
| • Ms. Anthony Aguilar | • Mr. Manuel Gonzales | • Ms. Dyan Lopez |
| • Mr. Hector J. Lopez | • Ms. Vanessa Robles | |

Item 11. Update on Hydraulic Fracturing in California.

Mr. Tim Kustic, Director of Oil, Gas and Geothermal Resources, Department of Conservation gave the report to the Board. *(Mr. Kustic made, but was not limited to the following points during his report.)*

- Discussed simplified geology of conventional oil and gas
- Discussed the typical hydraulic fracturing operation
- Discussed the series of forthcoming hydraulic fracturing workshops throughout the State in advance of the rule-making process that will add additional regulations on the process of hydraulic fracturing in the State
- Gave a brief history of hydraulic fracturing
- Typically, in California, when you have an oil and gas productive zone, you're looking at about 90 to 95 percent of the fluid brought to the surface is brackish water and 5 to 10 percent is oil
- It is believed that between 7 to 800 wells are fracture stimulated in California
- Clarified that hydraulic fracturing is not a drilling technique at all
- We do regulate water that is injected into water fields
- We're regulating facets of fracturing, but we don't have specific regulations on the nuts and bolts of the actual fracking job, and that's why we're moving forward with the rule-making process

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Others who made comments are listed below:

- Dr. Suzanne De Benedict, Culver City resident/Citizens Coalition for a safe community
- Dr. Tom Williams, Sierra Club CA
- Ms. Crystal Alexander, Frack Free Culver City
- Ms. Neil Rubenstein, Culver City resident
- Ms. Banbi Donfa, Culver City resident
- Ms. Michelle Weiner, Transition Culver City
- Mr. John Dettle, Rep. L.A. Permit Group

The Board members asked Mr. Kustic to return to a future meeting, and address how we can make these regulations work in urban areas dependent on the ground water, to try and assure that the ground water is not polluted. The Board indicated that there were no more questions and concerns they have, but asked Mr. Kustic if he would return to another meeting to respond the Board's questions and concerns.

Closed session break taken at 1:30 p.m. Reconvened at 2:50 p.m.

Item 10. Presentation of preliminary results from the Recreational Use Re-evaluation (RECUR) of Engineered Channels in the Los Angeles River Watershed.

Staff Report. Ms. Ginachi Amah, Regional Board staff, gave the report on this matter. *(Ms. Amah made, but was not limited to the following points during her presentation.):*

- Discussed the varied Stakeholder concerns and perspectives
- Discussed the scope of the RECUR project
- Elements of the re-use re-evaluation
- RECUR project milestones
- Coordinated field monitoring
- KCET in partnership with the LA. Regional Water Quality Control Board developed an E-survey, a recreational use survey of the Los Angeles River
- There were a total of 90 respondents to the surveys, ranging in age from 16 to 86
- A majority of the respondents use the river year round, once or twice per week for most
- For the electrical survey, staff worked in collaboration with Councilman Reyes' office and KCET
- Supplemental Watershed and Municipal Plans
- Supplemental Water Depth Monitoring
- Discussed the next steps

Public Comment.

- Mr. Lewis Mac Adams, Friends of the L.A. River *(Discussed SB1201, a Bill that supports recreational use at the L.A. River, including fishing, and kayaking, not yet passed by the legislature)*
- Ms. Karen Flores, Friends of the L.A. River, Outreach Coordinator
- Mr. Miguel Luna, Rep. Urban Similas
- Ms. Roselyn Wang, National Resources Defense Council (NRDC)
- Ms. Kirsten James, Heal the Bay *(Has concern that no improvements are in the works for the river. Do not believe sampling and surveys dictate the future of the L.A. River and believe resources will be better spent elsewhere.)*
- Dr. Tom Williams, Rep. Northeast L.A. Coalition

Board Comments:

- Asked clarification on costs associated

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- Is there participation from the disadvantaged along the river?
- Asked clarification on the basin planning recommendations
- Asked if staff has spoken with the River Conservancy to see what they have done?
- Asked clarification that the fish are safe to eat in the L.A. River?
- Asked clarification on the importance of the data on water depth

Item 12. Update of progress of development of the Ventura River Algae and Nutrients TMDL, including an introduction to the California nutrient numeric and point framework, which staff proposes to use to set numeric targets in the TMDL.

Staff Report. Ms. Jenny Newman, and Ms. Rebecca Veiga-Nascimento.

Ms. Newman provided an introduction, on the upcoming TMDL, and background. She indicated that this is the last TMDL that the Regional Board will consider on the Consent Decree. Ms. Newman made the following points during her introductory remarks:

- Nutrients are complex, and are different than other pollutants we regulate
- A certain amount of nutrients is important for healthy ecosystems, but too much nutrients can be harmful because they cause excessive algae growth
- Several reaches of the river, including the estuary and some tributaries are on the Clean Water Act, section 303d list of impaired water bodies due to algae, eutrophic conditions, nitrogen, and low dissolved oxygen.
- These impairments are due to exceedances of our biostimulatory substances objective
- The Clean Water Act requires that we develop a TMDL to obtain water quality objectives and restore the water bodies to their full beneficial uses
- Went over elements of the TMDL, which includes numeric targets, and assessment of all potential sources in the watershed, and it assigns allocations of allowable pollutants to all the sources in order to meet the targets

Ms. Rebecca Veiga-Nascimento *made, but was not limited to the following points during her presentation to the Board:*

- Nutrients, meaning nitrogen and phosphorus are essential for plant growth and are important macronutrients in all aquatic environments
- Nutrients are not impairing our beneficial uses, but cause secondary impacts such as excessive algae growth and low dissolved oxygen conditions, which do impair the beneficial uses
- Nutrients have a very complex relationship to beneficial uses, and this relationship is influenced by other factors, such as temperature, light, and flow
- The California Numeric Nutrient Endpoints (California NNE), developed by the USEPA and the State and Regional Water Quality Control Boards in California, and provides a framework for us to evaluate those biological response indicators and link them to nutrients
- The NNE provides a framework that incorporates all of these factors in a site-specific approach that is different from how we regulate chemicals
- The NNE was used in 2008 for the Machado Lake TMDL
- The NNE is currently the preferred alternative for California's Statewide Nutrient Policy, which is being developed by State Board and Regional Board cooperatively

Board Comments.

- Expressed concern about a number of other factors are affecting the way nutrients are affecting algae in adverse conditions

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- How does the interaction of the nutrients discharged into the Ventura river and the higher temperature, how do you attribute that?
- Are there stakeholder groups for this project?

Public Comments.

- Mr. Jeff Palmer, Ojai Valley Sanitation District
- Mr. Gerhardt Hubner, Ventura River Technical advisory Group

Item 13. Presentation on the Salt and Nutrient Management Plan Requirement of the State Water Board's 2009 Recycled Water Policy and an update on related staff activities.

Staff Report. Ms. Ginachi Amah, Regional Board staff. (*Ms. Amah made, but was not limited to the following points during her presentation*):

- Background history
- The Recycled Water Policy was adopted February 2009, to promote the increased use of recycled water from municipal wastewater sources in a manner that implements State and Federal Water Board laws
- The policy was developed in support of State Board's specific priority to protect long term sustainability of water supply by reducing our reliance on imported water and promoting reliance on local water supply
- The Policy supports Strategic Plan Priority to promote sustainable local water supply and optimize recycled water use
- There is a goal to have a Salt water Plan by 2014
- Discussed the Stakeholder process
- Discussed the Salt & Nutrient Management Plan (SNMP) Requirement
- Discussed Key Stakeholder Comments and Staff Responses

Board Comments.

- What do you believe has been the biggest challenge at helping to guide this plan?
- What do you believe has been the benefit approach to this plan implementation?
- Asked clarification on monitoring components
- Asked clarification on what is required and what is suggested with respect to CEC monitoring provision

Public Comment.

- Mr. Henry Graumlich, Calleguas Creek Watershed Steering Committee (Chair)

Public Forum:

Mr. John Dettle, City of Torrance

Ms. Kris Morris, Council for Watershed Health

(For more detailed information on any matter at our meetings, you may contact Ronji Moffett at (213) 576-6612 or rmoffett@waterboards.ca.gov and she may provide an electronic copy of the transcript or audio.)

The meeting was adjourned at 5:43 p.m.

Written and submitted by: _____, then finalized on
Ronji R. Moffett

